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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,112	01/19/2001	Sang Mun Lee	8733.387.00	8135

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MCKENNA LONG & ALDRIDGE LLP  
1900 K STREET, NW  
WASHINGTON, DC 20006

EXAMINER

PARKER, KENNETH

ART UNIT PAPER NUMBER

2871

DATE MAILED: 03/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/764,112

Applicant(s)

LEE ET AL.

Examiner

Kenneth A Parker

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1,2,4,9-13,16 and 17 is/are rejected.
- 7) ☐ Claim(s) 3,5-8,14 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 2 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

What is meant by buffering the "time" cannot be determined. The specification discusses buffering by storing the substrates, so it appears that the cell is buffered. For example, the liquid crystal display panel can be buffered by storing the liquid crystal in a vacuum bottle, but you cannot save time in a bottle. Therefore claims have been interpreted as buffering the cell for a time period.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 4, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al in view of Nakamura et al 5835181 and Inoue et al 6285435 and applied above, and further in view of Julke 4222635.**

Lacking from the apparatus is the wiping and sealing, both of which were conventional for the function they provide as evidenced by Nakamura:

After the filling step, the pressures at the respective parts of the cell 1 are restored to the atmospheric pressure, the cell is cooled to room temperature, and an excessive liquid crystal attached to the first and second apertures is removed by wiping with a cloth or by washing with a solvent of, e.g., ketone-type, such as acetone or methyl ethyl ketone. Thereafter, the apertures are sealed with a sealing agent (e.g., epoxy resin) similar to the sealing agent 10.

And Inoue:

The primary causes of such bubbles 209 being left are: volume contraction of the polymer dispersed liquid crystals 207 solidifying concomitantly with phase separation of mixture 205; and an inability to coat seal resin 6 to the inside of recesses 209, which are formed on the surface of mixture 205 contacting seal resin 206 by bubbles 209 as shown by the imaginary line in FIG. 22, as a result of even mixture 205 inside injection opening 203a being wiped away when the area around injection opening 203a is cleaned by wiping with a cloth before applying seal resin 206.

and obvious for those reasons.

UV light for sealing is also not taught by the primary reference but was well known as evidenced by the above listed additional reference, and would have been obvious for that reason.

**Claims 10 -12, are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al in view of Nakamura et al 5835181 and Inoue et al 6285435 and applied above, and further in view of Funada et al 4610510.**

Rolling was well known as evidenced by the above listed additional reference, and would have been obvious for that reason

**Claims 9, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al in view of Nakamura et al 5835181 and Inoue et al 6285435 and Julke 4222635 as applied above, and further in view of Funada et al 4610510.**

Rolling was well known as evidenced by the above listed additional reference, and would have been obvious for that reason.

#### ***Allowable Subject Matter***

Claims 2-3, 5-8, 13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and rewriting to overcome any applicable rejections under 112 applied above.

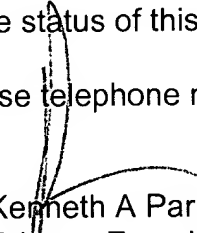
#### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth A Parker whose telephone number is 703-305-6202. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-0956.

  
Kenneth A Parker  
Primary Examiner  
Art Unit 2871

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February 25, 2003